

Applicant : Buchhauser et al.
Serial No. : 10/599,939
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Attorney's Docket No.: 12406-0225US1 / P2006,1044 US N

Amendments to the Drawings:

The attached replacement sheet of drawings includes changes to the figure and replaces the original sheet including the figure.

In the figure, the drawing has been redrawn with markings removed.

Attachments following last page of this Amendment:

Replacement Sheet (1 page)
Annotated Sheet Showing Change(s) (1 page)

REMARKS

Claims 1-5 and 7 are rejected. Claim 2 is canceled, and amended claim 1 and new claim 16 are fully supported by the specification and add no new matter. Claims 1 and 3-16 are pending, with claims 1 and 3-5 and 7 presented for examination in view of the amendments and the following remarks.

Election/Restrictions

In response to the restriction requiring election between Group 1 (claims 1-7), Group II (claims 8-14), and Group III (15), the Applicants elect Group I, species 1-5 and 7. The election is made with traverse.

The Applicants note that this application is the US national stage of a PCT application filed under 35 U.S.C. § 371. Thus, unity of invention (not restriction practice pursuant to 37 C.F.R. 1.141 -1.146) is applicable. Claims directed to species of a generic invention are deemed to lack unity of invention when the species are not so linked as to form a single general inventive concept under PCT Rule 13.1. This unity of invention requirement is fulfilled when claims share one or more of the same or corresponding technical features that define a contribution which each of the claimed inventions, considered as a whole, makes over the prior art.

The Applicants submit that the pending claims have unity of invention in their entirety. The independent claims, and thus all of the dependent claims, include corresponding features to a capsule attached to a substrate and at least partly covered by a protective film.

Moreover, the International Search Authority has already found that the pending claims have unity of invention.

For at least these reasons, the restriction requirement is improper. Accordingly, the Applicants request that the pending restriction requirement be withdrawn.

Drawings

A replacement drawing of FIG. 1 is being submitted herewith. The Applicants respectfully request entry of this drawing into the application.

Claim Rejections

Claims 1-4 and 7 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Pat. 6,710,542 ("Chun") or under 35 U.S.C. § 103(a) as being unpatentable over Chun. However, Chun did not describe or make obvious an encapsulation for an organic electronic component including "a dimensionally stable capsule attached to [a] substrate by glue comprising absorbents . . .," as recited in amended claim 1. Moreover, Chun did not describe or make obvious a protective film being more insulating against moisture and/or oxygen than the glue used for gluing the capsule to the substrate.

Chun described an organic light emitting device (OLED) 50 including a glass cover plate 18 bonded to a substrate 11 by an epoxy seal 17.¹ However, Chun described commercially available epoxy sealants as "not sufficiently impermeable to oxygen and water."² To address this issue, Chun taught that a moisture getter 15 is sometimes placed inside of the region defined between the glass plate 18, the substrate 11 and the epoxy seal 17.³ However, according to Chun, such a moisture getter 15 does not sufficiently extend the lifetimes of devices.⁴ Accordingly, Chun described a seal having a layer of epoxy and a layer of silicon nitride that "prevents" water and oxygen from reaching an electrode of a device.⁵ Chun did not describe or make obvious attaching a capsule to a substrate by a glue including absorbents as recited in amended claim 1, much less a protective film being more insulating against moisture and oxygen than the glue including absorbents.

This is not a trivial distinction. For example, the material boundary between the substrate, the connecting glue, and the capsule is subject to the diffusion of atmospheric moisture

¹ See, e.g., Chun, col. 2, lines 63-65.

² Id. at col. 2, line 67 – col. 3, line 1.

³ See, e.g., id. col. 3, line 1-3; Fig. 1.

⁴ See, e.g., id. col. 3, lines 3-5.

⁵ Id. col. 2, lines 12-14.

and oxygen and a diffusion pathway can form along these material boundaries so that the component is still damaged by environmental influences. Thus, as the Applicants noted in their application, encapsulation as recited in claim 1 increases, for example, the imperviousness of the device to moisture and oxygen. Moreover, a person of ordinary skill in the art would not have modified Chun's epoxy seal 17 to include absorbents at least because Chun taught that the seal covering the epoxy seal 17 is sufficient to prevent water and oxygen from reaching an electrode of a device.

Claim 5 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Chun in view of U.S. Pub. No. 2005/0155704 ("Yokajty"). However, Yokajty has not been shown to describe an encapsulation for an organic electronic component including "a dimensionally stable capsule attached to [a] substrate by glue comprising absorbents . . .," as recited in amended claim 1. Therefore, Yokajty has not been shown to cure the deficiencies of Chun discussed above. For at least this reason, Chun and Yokajty, alone or in combination do not provide a *prima facie* case of obviousness of claim 5.

All of the dependent claims are patentable for at least similar reasons as those for the claims on which they depend are patentable.

Canceled claims, if any, have been canceled without prejudice or disclaimer.

New Claim

New claim 16 differs from claim 1 at least because claim 16 recites an encapsulation including a capsule including "horizontal and lateral areas with respect to [a] component and [a] glue arranged between the lateral areas of the capsule of the substrate." Applicant respectfully submits that claim 16 is also patentable over the cited art.

CONCLUSION

Any circumstance in which the applicants have (a) addressed certain comments of the examiner does not mean that the applicants concede other comments of the examiner, (b) made arguments for the patentability of some claims does not mean that there are not other good

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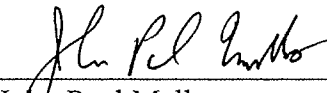
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reasons for patentability of those claims and other claims, or (c) amended or canceled a claim does not mean that the applicants concede any of the examiner's positions with respect to that claim or other claims.

Applicants request a one-month extension of time. All fees are being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply any other charges or credits to Deposit Account No. 06-1050, referencing Attorney Docket No. 12406-0225US1.

Respectfully submitted,

Date: March 4, 2010



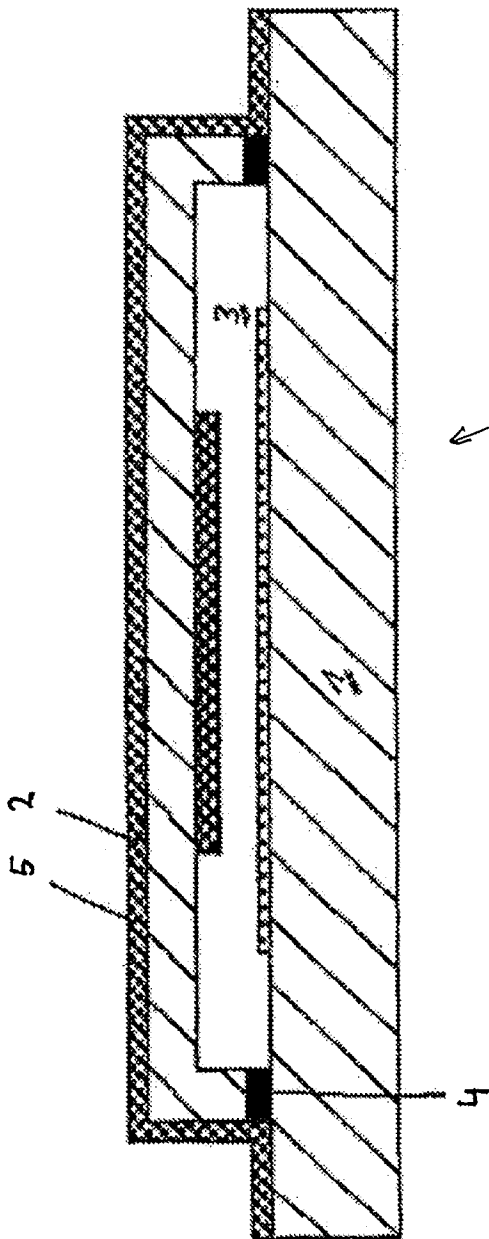
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← Figure redrawn

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